

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action dated November 3, 2006. Claims 1, 2, 4-46 and 48-79 are currently pending. Claims 13, 14, 19, 41, 60-66, and 73-79 were previously withdrawn from consideration. Claims 1, 2, 4, 12, 15, 29, 30, 31, 32, 38, 46, 51, 52, and 67 have been amended as set forth above. New matter has not been added with the amendment to the claims. The applicant respectfully requests reconsideration of the application in accordance with the following remarks.

Drawings

The drawings are objected to under 37 CFR 1.83(a). Specifically, the Examiner states that “[t]he drawings must show every feature of the invention specified in the claims. Therefore, the sliding assembly adapted to secure to an additional load thereto claimed in claim 4, and the load comprising a cable management arm claimed in claim 5 must be shown.”

“The applicant for a patent is required to furnish a drawing of his or her invention where necessary for the understanding of the subject matter sought to be patented.” 37 CFR 1.81(a). Applicant submits that additional drawings are not necessary for the understanding of the subject matter sought to be patented.

In addition, Applicant respectfully submits that the drawings, as currently provided, already meet the requirements of 37 C.F.R. §1.38, showing every feature of the invention specified in the claims. As outlined in more detail below, Applicant respectfully notes that claims 4 and 5 do not positively claim the slide assembly and cable management arm, but instead claim 1, upon which claims 4 and 5 depend, recites “*an equipment attachment flange...further operable to secure a load*” (emphasis added). Accordingly, Applicant requests that the Examiner withdraw rejections to the drawings.

Claim Objections

In the Office Action dated November 3, 2006, the Examiner objected to claims 11 and 30 based on certain informalities. In particular, portions of claims 11 lacked proper antecedent basis

for the term “said second torsion member.” Claim 12 has been amended to address the concerns in the Office Action.

Claim 30 was objected to for reciting “a gap therein.” Claim 30 has been amended to address the concerns in the Office Action.

Accordingly, Applicant respectfully requests that the objections to claims 11 and 30 be withdrawn.

Section 112 Rejections

Claims 2, 46, 48-59, and 68-72 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action stated “it remains unclear as to what is positively claimed because the ‘standards’ of EIA-310, revision D, has yet to be defined.” Claim 2 has been amended to address the concerns expressed in the Office Action. Accordingly, Applicant requests removal of the rejection of claim 2.

The Office Action stated “[c]laims 46, 51, and 52 (line 1) recited ‘four-post loads’. It is unclear as to what structurally defines a ‘four-post’ load.” Applicant respectfully disagrees that the claims are unclear. Four post-rack loads are described in the Applicant’s Specification at least on pages 1, line 8 - page 2, line 10 and page 6, lines 3-9. However, claims 46, 51, and 52 have been amended to address the concerns expressed in the Office Action. Accordingly, Applicant requests removal of the rejection of claims 46, 51 and 52 and their respective dependant claims.

The Office Action stated “[c]laims 68 and 72 (lines 1 and 4) recite ‘four-post rack-mounting configuration’. It is unclear as to what defined a ‘four-post’ load.” Applicant submits that the claims do not recite a “four-post load”. Therefore, Applicant requests reconsideration of the objection to claims 68 and 72.

Section 102 Rejections

Claims 1-3, 5-12, 15-17, 20, 21, 23-39, 42-46, 48-56 and 67-72 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,542,549 issued to *Siemon et al.* (“*Siemon*”). Applicant respectfully disagrees that the claims are unpatentable over *Siemon*.

Siemon teaches an improved cross connect frame that emulates an EIA standard relay rack (*Siemon*, column 2, lines 18-20). *Siemon* also teaches an improved stand-off bracket that accepts wire management products for side wire management while mounting in less space than prior art stand-off brackets (*Siemon*, column 2, lines 32-35). The described cross-connect frame may be mounted flush to a wall, on a standard relay rack, or on stand-off brackets (*Siemon*, column 4, lines 12-14).

Claim 1 recites “an equipment attachment flange coupled to the first lateral end, wherein the equipment attachment flange defines a vertical supporting point for a load.” *Siemon* does not teach an equipment attachment flange that defines a vertical support point for a load. Instead, *Siemon* teaches flange 44 of a stand-off bracket fits between structural member 12 and structural member 14 of cross connect frame 12 and that this snug fit provides support against twisting and rocking and, when coupled with a fastener, helps maintains a rigid and rugged assembly (*Siemon*, column 4, lines 27-33). Accordingly, claim 1 and its dependent claims are allowable over *Siemon*.

Claim 31 recites “the first coupling member replicates at least one post in a four-post equipment rack” and “the second coupling member replicates at least one post in the four-post equipment rack.” *Siemon* does not teach a first coupling member and a second coupling member replicating posts in a four-post equipment rack. Instead, *Siemon* teaches a cross connect frame that emulates an EIA standard relay rack (*Siemon*, column 2, lines 18-20). Relay racks are 2 post rack systems, thus *Siemon* fails to teach coupling members replicating posts in a four-post equipment rack. Accordingly, claim 31 and its dependent claims are allowable over the cited art.

Claim 46 recites “coupling independent four-post replicating mounting points on the two-post equipment rack, wherein said mounting points comprise two or more independent coupling members” and “each coupling member operable to vertically support the equipment configured to couple to four-post equipment racks at a first lateral end and to attach to only one respective post at a second lateral end.” Instead, *Siemon* teaches a cross connect frame that emulates a relay

rack or 2 post rack system (*Siemon*, column 2, lines 18-20). *Siemon* does not teach coupling independent four-post replicating mounting points on a two-post equipment rack, where mounting points include coupling members adapted to vertically support equipment configured to couple to four-post equipment racks at a first lateral end and to attach to only one respective post at a second lateral end. The citations listed in the Office Action also do not teach such limitations.

In addition, Applicant respectfully disagrees that *Siemon* teaches converting a two-post equipment rack to support four-post loads at column 4, lines 20-22 (Office Action, page 11). *Siemon* states "FIG. 10 depicts slotted holes 34 on end flap 69 for fastening the stand-off bracket 30 to a relay rack, wall or other surfaces" (*Siemon*, column 4, lines 20-22). Furthermore, *Siemon* teaches a cross connect frame that emulates a relay rack or two-post rack system (*Siemon*, column 2, lines 18-20). Thus, *Siemon* fails to teach converting a two-post equipment rack to support four-post loads. Accordingly, claim 46 and its dependent claims are allowable over *Siemon*.

Claim 51 recites "coupling a second coupling member to a second post, wherein said first coupling member and said second coupling member emulate two of the four posts in a four-post rack with each emulated post defining a vertical supporting point for a load."

Siemon does not teach coupling a second coupling member to a second post, where a first coupling member and a second coupling member emulate two of the four posts in a four-post rack, and with each emulated post defining a vertical supporting point for a load. Instead, *Siemon* teaches a cross connect frame that emulates a relay rack or two-post rack system (*Siemon*, column 2, lines 18-20). *Siemon* also teaches use of a stand-off bracket with the cross connect frame (*Siemon*, column 4, lines 12-14). Applicant submits that *Siemon* does not teach using stand-off brackets to emulate posts in a four-post rack. *Siemon* fails to teach coupling members emulating two of the four posts in a four-post rack. Accordingly, claim 51 is allowable over *Siemon*.

Independent claim 52 includes similar features to independent claim 51. In particular, claim 52 recites "coupling a third coupling member to said first post substantially planar to and substantially parallel to said first coupling member; coupling a fourth coupling member to said second post substantially planar to and substantially parallel to said second coupling member;

and wherein each of the coupling members emulate one respective post in a four-post rack, with each emulated post defining a supporting point for a load.” Accordingly, for reasons stated above in connection with claim 51, claim 52 and its respective dependent claims are also allowable over the cited art.

Claim 67 recites “a coupling feature for connecting the support device to adjacent equipment support devices.” The Office Action stated that *Siemon* teaches a coupling feature as the planar surface of torsion member 46 (Office Action, page 15). Applicant submits that a surface is not a coupling feature. *Siemon* does not teach a coupling feature for connecting the support device to adjacent equipment support devices nor do the citations in the Office Action teach such limitations. Accordingly, claim 67 is allowable over *Siemon*.

Claim 68 recites “installing a two-post to four-post adapter on the two-post rack system, the two-post to four-post adapter operable to support a device having a four-post rack-mounting configuration.” *Siemon* teaches a cross connect frame that emulates a relay rack or two-post rack system (*Siemon*, column 2, lines 18-20). *Siemon* does not teach installing a two-post to four-post adapter on a two-post rack system, where a two-post to four-post adapter is operable to support a device having a four-post rack-mounting configuration, nor do any of the citations listed in the Office Action teach such limitations. Accordingly, claim 68 and its dependent claims are allowable over *Siemon*.

Independent claim 72 includes similar features to independent claim 68. In particular, claim 72 recites “means for installing a two-post to four-post adapter on the two-post rack system.” Accordingly, for reasons stated above in connection with claim 68, claim 52 and its respective dependent claims are also allowable over the cited art.

Claims 1-6, 10-12, 25-28, 51, 52, 55, 56, 58, 59 and 67-72 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,220,456 issued to *Jensen et al.* (“*Jensen*”).
Applicant respectfully disagrees that the claims are unpatentable over *Jensen*.

Jensen teaches a rack-mounted computer system that includes at least two posts and a rail attached to each post (*Jensen*, column 1, lines 51-52). The described rails include two ribs that together define a slot (*Jensen*, column 1, line 53). A face of computer component chassis to be mounted includes at least one protuberance which fits at least partially into the slot of one of the rails (*Jensen*, column 1, lines 55-59).

Claim 1 recites “an equipment attachment flange coupled to the first lateral end, wherein the equipment attachment flange defines a vertical supporting point for a load, and wherein the equipment attachment flange is further operable to secure the load to the equipment attachment flange.” *Jensen* does not teach an equipment attachment flange that defines a vertical support point for a load, further operable to secure a load to the equipment attachment flange. Instead, *Jensen* teaches that a chassis is guided into the gap between the rails by a flange on each rail, and after engagement, the chassis is vertically supported by the bolts which engage the rails (*Jensen*, column 3, lines 38-42, 63-64). Thus, *Jenson* does not teach an equipment attachment flange defining a vertical support point for a load, but rather teaches the rails vertically supporting a load. Accordingly, claim 1 and its dependent claims are allowable over *Jensen*.

Claim 51 recites “coupling a second coupling member to a second post, wherein said first coupling member and said second coupling member emulate two of the four posts in a four-post rack with each emulated post defining a vertical supporting point for a load.” *Jensen* does not teach coupling a second coupling member to a second post, where a first coupling member and a second coupling member emulate two of the four posts in a four-post rack, with each emulated post defining a vertical supporting point for a load. Instead, *Jensen* teaches rails vertically supporting a load (*Jensen*, column 3, lines 38-42, 63-64). *Jensen* fails to teach coupling members emulating two of the four posts with each emulated post defining a vertical supporting point for a load, nor does the Office Action include a citation to any portion asserted to teach such limitations. Accordingly, claim 51 is allowable over *Jensen*.

Independent claim 52 includes similar features to independent claim 51. Claim 52 recites “coupling a third coupling member to said first post substantially planar to and substantially parallel to said first coupling member; coupling a fourth coupling member to said second post substantially planar to and substantially parallel to said second coupling member; and wherein each of the coupling members emulate one respective post in a four-post rack, with each emulated post defining a supporting point for a load.” Accordingly, for at least the reasons mentioned in connection with claim 51, claim 52 and its dependent claims are allowable over *Jensen*.

Claim 67 recites “a coupling feature for connecting the support device to adjacent equipment support devices.” The Office Action stated that *Jensen* teaches a coupling feature as

the surface of rack attachment means 22 (Office Action, page 15). Applicant submits that a surface is not a coupling feature. Jenson does not teach a coupling feature for connecting the support device to adjacent equipment support devices nor do the citations in the Office Action teach such limitations. Accordingly, claim 67 is allowable over *Jensen*.

Claim 68 recites “installing a two-post to four-post adapter on the two-post rack system, the two-post to four-post adapter operable to support a device having a four-post rack-mounting configuration” and “wherein the device is supported solely by the posts in the four-post rack.” *Jensen* does not teach a means for installing a two-post to four-post adapter on a two-post rack system. Although *Jensen* teaches that conventional racks may include two post rack systems and four post rack systems (*Jensen*, column 1, lines 28-37), Applicant respectfully submits that *Jensen* fails to teach an adapter for adapting a two-post system for use with equipment configured to mount on a four-post system nor does the Office Action include a citation to any portion of the reference that is asserted to teach such limitations. Accordingly, claim 68 and its dependent claims are allowable over *Jensen*.

Independent claim 72 includes similar features to independent claim 68. In particular, claim 72 recites “means for installing a two-post to four-post adapter on the two-post rack system.” Accordingly, for reasons stated above in connection with claim 68, claim 72 is also allowable over the cited art.

Section 103 Rejections

Claims 18, 22 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Siemon*. Applicant respectfully disagrees that the claims are unpatentable over *Siemon*. Claims 18 and 22 depend on claim 1 and claim 40 depends on claim 31. Thus, for at least the reasons mentioned above in connection with claims 1 and 31, claims 18, 22, and 40 are also allowable over the cited art.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

A Request for Continued Examination is being filed concurrently with this Response to Final Action of November 3, 2006. The required fee in the amount of \$790 for filing of the Request for Continued Examination is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. No other fees are believed to be due at this time. If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any other fees are required, please apply any other charges or credits to Deposit Account No. 06-1050 referencing the above-referenced attorney docket number.

Respectfully submitted,

Date: February 5, 2007

/Elizabeth Philip Dahm/

Elizabeth Philip Dahm

Reg. No. 51,352

PTO CUSTOMER NO. 26231

Fish & Richardson P.C.
1717 Main Street
Suite 5000
Dallas, Texas 75201
Telephone: (214) 760-6119
Facsimile: (214) 747-2091